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Serial No.: 10/613,057

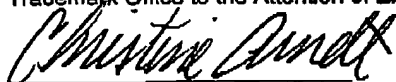
Case No. GRBCP0304US

PATENT

CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is
being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope
addressed to the Commissioner for Patents address below.

X being transmitted via facsimile to (571) 273-8300 (Centralized Facsimile Number) at the U.S. Patent and
Trademark Office to the Attention of Examiner Christopher P. Schwartz.



Christine Arndt

February 14, 2006

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael Lee Zierolf

Serial No.: 10/613,057

Filing Date: July 2, 2003

For: BRAKE GAIN-BASED TORQUE CONTROLLER

Examiner: Christopher P. Schwartz

Art Unit: 3683

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner, faxed
October 18, 2003, finally rejecting claims 1-3, 5-8 and 10-18.

The items checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of

X other than a small entity. a small entity.

A verified statement

 is attached. was already filed on .**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

 small entity

\$250.00

X other than a small entity

\$500.00

Notice of Appeal Fee Due

\$500.00

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180988

02/15/2006 LWDNDIM1 00000056

500.00 DA

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Serial No.: 10/613,057

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<u>X</u>	one month	\$ 120.00	\$ 65.00
<u> </u>	two months	\$ 450.00	\$225.00
<u> </u>	three months	\$1,020.00	\$510.00
<u> </u>	four months	\$1,590.00	\$795.00

Fee \$ 120.00

If additional extension of time is required, please consider this a petition therefor.

 An extension for months has already been secured.
The fee paid therefor of \$ is deducted from the total
fee due for the total months of extension now requested.

Extension fee due with this request \$ **OR**

- (b) Applicant believes that no extension of term is required.
However, this conditional petition is being made to
provide for the possibility that applicant has inadvertently
overlooked the need for a petition and fee for extension
of time.

4. TOTAL FEE DUE

The total fee due is:


Notice of Appeal fee \$ 500.00
Extension fee (if any) \$ 120.00**TOTAL FEE DUE \$ 620.00****5. FEE PAYMENT**

 Attached is a check in the sum of \$.
X Charge Account No. 18-0988 the sum of \$ 620.00.
(A duplicate of this transmittal is attached.)

6. FEE DEFICIENCY

X If any additional extension and/or fee is required,
charge Account No. 18-0988.
and/or
X If any additional fee for claims is required,
charge Account No. 18-0988.

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(216) 621-1113

By 
Kenneth W. Fafrak
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